

**Summary of Substantive Changes to the RFP Through Amendment No. 001
Based on Draft RFP Released to the Public on December 11, 1998**

Offerors are reminded that this is only a summary and does not include editorial changes or changes made to achieve consistency. We have attempted to direct your attention to significant changes; however, there may be other changes that are not noted.

SECTION A - SOLICITATION/CONTRACT FORM

No Changes.

SECTION B - SUPPLIES OR SERVICES AND PRICES/COST

B-1. Services Being Acquired

Revised to indicate that Contractor shall “use its best efforts to” ...

B-3. Total Available Fee: Base Fee Amount and Performance Fee

This clause was published as a Final Rule in the Federal Register, dated March 11, 1999, and is included in Section I of the RFP.

B-4. Performance Fee

Revised to provide for the offeror to propose a fee discount factor to be applied against a given annual total available performance fee for the contract period October 1, 2000 through March 31, 2005.

B-5. Conditional Payment of Fee, Profit, or Incentives

This clause was published as a Final Rule in the Federal Register, dated March 11, 1999, and is included in Section I of the RFP.

B-6. Fee During Option Period

Revised to provide for the application of a fee discount factor against the annual total available performance fee.

SECTION C - DESCRIPTION/SPECS./WORK STATEMENT

Performance expectations were combined with the clause in Section H previously entitled, “Critical Outcomes” and now entitled, “Performance Expectations.” A section of Environment, Safety and Health was added.

SECTION D - PACKAGING AND MARKING

No changes.

SECTION E - INSPECTION AND ACCEPTANCE

No changes.

SECTION F - DELIVERIES OR PERFORMANCE

Term of contract, including both base and option periods, reduced from 10 and one-half years to 10 years.

SECTION G - CONTRACT ADMINISTRATION

No changes.

SECTION H - SPECIAL CONTRACT REQUIREMENTS

H-6. Corporate Home Office Expenses

Last sentence deleted.

H-9. Separate Corporate Entity

Clause revised.

H-12. Permits, Applications, Licenses, and Other Regulatory Documents

Clause revised.

H-14. Allocation of Responsibilities for Contractor Environmental Compliance Activities

Clause added.

H-18. Integrated Accounting

Added requirement that the Contractor's financial management system shall include an integrated accounting system for product cost accounting, particularly for isotopes.

The reference regarding Product Cost Accounting is posted in the Information Resources List of the Webb site <http://www.oro.doe.gov/ornlseb>.

H-xx. Cost Recovery

Clause deleted.

H-31. Community Commitment

Clause added.

H-32. Corporate Citizenship

Deleted paragraph (d) regarding Contractor liability.

H-33. Employee Transition

Added following provision to paragraph (b)(3) Transition of Employees

“Any “sign-on” bonuses paid to incumbent contractor employees by the offerors, as an employment inducement, will not be reimbursed as an allowable cost under this contract.”

H-35. Unclassified Controlled Nuclear Information/Export Controlled Information

Added provision regarding Export Controlled Information

H-40. Critical Outcomes (Performance Expectations)

Combined with performance expectations previously listed in the Statement of Work.

H-xx. Senior Executive Compensation (AL 98-07)

Clause deleted

H-43. Limitation on Liability

Added limitation on liability for nonprofit organization.

H-44. Hazardous Materials

Clause added.

H-45. Nonprofit Contractor

Clause added.

SECTION I - CONTRACT CLAUSES

I-22. 52.219-4 Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jan 1999)

Added in accordance with FAC 97-10.

I-23. 52.219-8 Utilization of Small Business Concerns (Jan 1999)

Updated in accordance with FAC 97-10

I-24. 52.219-9 Small Business Subcontracting Plan (Jan 1999) Alternate II (Jan 1999)

Updated in accordance with FAC 97-10

I-25. 52.219-16 Liquidated Damages--Subcontracting Plan (Jan 1999)

Updated in accordance with FAC 97-10

I-42. 52.222-21 Prohibition of Segregated Facilities (Feb 1999)

Added in accordance with FAC 97-10

I-43. 52.222-26 Equal Opportunity (Feb 1999)

Updated in accordance with FAC 97-10

I-49. 52.223-3 Hazardous Material Identification and Material Safety Data (Jan 1997)
Alternate I (July 1995)
Deviation removed

I-63. 52.226-1 Utilization of Indian Organizations and Indian-Owned Economic Enterprises (May 1999)
Updated in accordance with FAC 97-11

I-100. 970.5204-1(b) Counterintelligence (Sep 1997) (Modified)
Added Contractor responsibility for providing Counterintelligence support to all facilities under Oak Ridge Operations.

I-111. 970.5204-21 Property (Jun 1997)
Deviation added to paragraph (j)(3) applicable to nonprofit Contractors.

I-130. 970.5204-59 Whistleblower Protection Contractor Employee
Updated with April 99 version of clause.

SECTION J - LIST OF ATTACHMENTS

Appendix E - Laws, Regulations, and DOE Directives - Updated list B
Appendix G - Revised first paragraph and renamed Appendix C.

SECTION K - REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS

K-xx. 52.215-4 Type of Business Organization (Oct 1997)
Removed in accordance with FAC 97-09.

K-6. 52.219-1 Small Business Program Representations (Oct 1998) Alternate II (Jan 1999)
Updated in accordance with FAC 97-10. Small Business size standard given.

K-xx. 52.222-21 Certification of Nonsegregated Facilities (Apr 1984)
Removed. Updated clause moved to Section I.

K-7. 52.222-22 Previous Contracts and Compliance Reports (Feb 1999)
Updated in accordance with FAC 97-10.

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

L-3. The Proposal
Revised the second paragraph as follows:

Proposals will be evaluated on both written and oral information submitted and presented by the offeror and detailed below. Each initial proposal should contain the offeror's best terms from a cost, fee and technical standpoint since it is the Government's intent to evaluate proposals and award a contract without discussions. The Government, however, reserves the right to conduct discussions if it later determines that discussions are necessary (see the clause in Section L entitled, "Instructions to Offerors—Competitive Acquisition"). Any exceptions or deviations taken to the terms of the contract (Sections A-K) will make the offer unacceptable for award without discussions. If an offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another offeror who did not take exception to the terms and conditions of the contract. Offerors should pose any issues/questions to DOE prior to the time for receipt of proposals to allow DOE the opportunity to consider whether the matter warrants an amendment to the solicitation.

L-4. Proposal Preparation Instructions -- General

Added attachments to cover letter as follows:

- (6) An attachment to the cover letter that contains a copy of any agreements among proposing entities that will remain in effect after contract award.
- (7) If the offeror is a nonprofit, for purposes of meeting the requirements of the clause in Section H entitled, "Nonprofit Contractor," the offeror must submit documentation verifying that the offeror meets the requirements for a nonprofit in accordance with the requirements of the above clause, e.g., articles of incorporation, etc. The standing of an offeror with respect to its nonprofit vs. profit status will not be an evaluation consideration.

Divided Volume II of the Proposal into two binders as follows:

Part A - Technical summary and paper copy of oral presentation visuals.

Part B - Past performance information, management team resumes, and organization chart.

L-5. Proposal Preparation Instructions -- Volume I, Offer (May 1997)

Revised instructions for proposing fee.

Added Requirement that Proposed Key Personnel shall include the loaned incumbent Project Director for the Spallation Neutron Source (SNS). This position is subject to the Key Personnel clause. The SNS Project Director shall report to, and be subject to, management by the ORNL Laboratory Director.

L-6. Proposal Preparation Instructions -- Volume II, Technical and Business Management Proposal (May 1997)

Revised paragraph (c)(2) Question and Answer Session

Revised paragraph (c)(4) Presenters and Attendees.

L-7. Proposal Preparation Instructions -- Volume II, Oral Presentation Topics

Revised paragraph (b)(2) Spallation Neutron Source (SNS).

Revised paragraph (b)(3)(iii) Reactor Operations.

Reorganized paragraph (b)(3) Laboratory Operations

Reorganized paragraph (b)(4) Environment, Safety, and Health

L-xx. Site Tours

This clause removed. We do not plan to conduct additional site tours.

L-11. Preproposal Conference

Added preproposal conference.

L-12. 970.5204-89 Requirement for Guarantee of Performance (APR 1999)

Modified in accordance with Final Rule published in the **Federal Register** on April 6, 1999, (Volume 64, Number 65).

L-15. 52.222-24 Preaward On-Site Equal Opportunity Compliance Evaluation (Feb 1999)

Updated in accordance with FAC 97-10.

L-xx. 52.237-1 Site Visit (Apr 1984)

Removed. No additional site visit is planned.

L-21. 970.5204-88 Limitation on Fee (April 1999)

Clause added in accordance with the DOE fee policy published in the Federal Register on March 11, 1999.

L-25. Hazardous Materials Information

Clause added to address inconsistency between clause in Section I entitled, "Hazardous Material Identification and Material Safety Data," and the clause in Section H entitled, "Hazardous Materials."

SECTION M - EVALUATION FACTORS FOR AWARD

M-2. Qualification Criteria

Removed as a qualification factor that offerors must accept all of the terms and conditions set forth in the intended contract in Sections A through J of the RFP.

M-5. Fee Evaluation Criterion
Revised.

M-6 Relative Importance of Evaluation Criteria
Revised.

M-7. Evaluation Exclusive of Options
Deleted this provision.

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